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Via ECF

August 20, 2020

Hon. Joan M. Azrack
United States District Court
Eastern District of New York
100 Federal Plaza
P.O. Box 9014
Central Islip, NY 11722-9014

Re: Finnigan v. Mattituck-Cutchogue U.F.S.D., et al.
CV: 20-2837 (JMA) (ST)

Dear Judge Azrack:

As counsel for the plaintiff, we write in response to the defendants' respective requests for a pre-motion conference to file motions pursuant to Fed. R. Civ. P. 12(b) (1) and 12(b)(6) in the above-matter.

As Your Honor is aware, counsel for the Mattituck-Cutchogue U.F.S.D. defendants filed a request for a pre-motion conference on August 13, 2020, and counsel for defendant Solomon filed a similar request on August 17, 2020. In both letters, the defendants raise several pleading deficiencies and contend that the complaint fails to state a cause of action. In lieu of opposing defendants' respective motions, plaintiff intends to file an amended complaint pursuant to Fed. R. Civ. P. 15(a)(1)(b) to cure the alleged deficiencies/issues raised by the defendants in their pre-motion requests.

Accordingly, plaintiff respectfully requests thirty (30) days to file and serve an amended complaint, and further requests that the Court deny defendants' pre-motion requests as moot.

Respectfully submitted,

Kyle T. Pulis

cc: Adam Kleinberg, Esq. (via ECF)
William Devine, Esq. (via ECF)

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